

EDITORIAL

THE CASE OF FATHER TRAVASSOS.

By DANIEL DE LEON

IN the Third District Court of New Bedford, Mass., Justice Milliken presiding, the suit came up, on the 23rd of last September, of one Amancio against a Roman Catholic priest, Travassos by name. The plaintiff alleged that the priest had, through the confessional, caused his wife to leave him, thereby breaking up his home, on account of which he demanded damages. The plaintiff's allegations were supported by his wife's testimony; and no attempt at rebuttal was made by the defendant. Called to the stand by the plaintiff's attorney to testify as to a certain conversation that took place between her and the priest at confession, Mrs. Amancio, the objections of the defendant being overruled by the Court, said:

“He asked me if I was single or married. I told him I was married civilly, and then Father Travassos said I was not married and that I was living in concubinage. I was, therefore, he said, accursed. He told me that my husband could leave me and go to another city and marry another woman. He then told me to go home and tell my husband to come to the church and be married, or leave him, as he could not absolve me unless I did. I was afraid then that my husband would leave me and marry another woman, so I told him what the priest had said. Since then some people have told me that my marriage was all right and just as good as any other, and so I am willing to go back and live with my husband.”

On the 11th of this month Judge Milliken ordered judgment to be entered for the plaintiff in \$50.

It matters not that Judge Milliken had the mental and moral integrity to overrule the objections raised by the defendant's attorney, who sought to prevent Mrs. Amancio from repeating the priest's words to her in the confessional, on the theory that such conversations were “privileged.”

It matters not that the unlawfulness of the defendant's act was established by the Court, and he was mulcted in damages.

It matters not that Amancio, the husband, displayed admirable civic fortitude in seeking and obtaining legal redress under the laws of the land.

It matters not that Mrs. Amancio herself, by returning to her husband, recovered from the mental thralldom that formerly obsessed her, and, by so doing, herself healed a wound that no damages at law could cure.

Any, or all these circumstances together, might at first blush seem to dispose of the case of Father Travassos, like that of any other common tort, and leave nothing more to be said upon the subject. It is not so.

Father Travassos and his hierarchy have a right to believe that only they have authority to solemnize marriage; they have a right to believe that a man and woman, not married by them, live in concubinage; they have a right to believe that their expressions concerning concubinage are not slanderous and libelous towards those not married by them, and their children, and that such expressions should not lay them open to prosecution for slander or libel; they have the right to believe that they have the power to annul all marriages otherwise contracted, and thereby exercise the functions of a divorce Court, as Father Travassos did, or sought to do. They have a right to believe all these things; and, these things being at war with the existing institutions of the land, and with the principles upon which these institutions have been raised, Father Travassos and his hierarchy have the right to agitate, and educate and organize with a view to bring about that state of things in which such beliefs are organic law. To all these beliefs and acts the Travassoses have an unquestioned and unquestionable right—just the same as Socialists have the unquestionable right, and insist upon the exercise thereof to agitate, educate, and organize with a view to bringing about as radical a political revolution in the existing organic institutions of the land, in one direction, as the changes, which Father Travassos' procedure gives an inkling of, imply a radical political revolution in the existing organic structure of the land, in another and opposite direction.

All this is cardinal. Cardinal, therefore, also is the conclusion that the theory of Father Travassos and his hierarchy, all the more seeing that the latter has not disavowed the former, is that of a political movement; that their methods are not the open methods of political struggle but the methods of politics ambushed behind religion; that their conduct is the attempted enforcement of a political system that

has not yet overthrown the one to-day in existence in the land: finally, that their posture is one of “imperium in imperio” (a supremacy within a supremacy), a state of things repugnant to, and exclusive of the elemental concept of Social Order.

The facts cited, together with the inevitable conclusions just mentioned, demand close attention, all the more in view of the loud protestations of the Travassoses and their hierarchy of law-abidingness in the land, and their simultaneous charge preferred with indignation against Socialism, as subversive of Law. The juridical facts cited and conclusions that flow therefrom prove unerringly, for one thing, that the goal of the Travassoses and their hierarchy is as subversive of existing Law, in one direction, as the goal of Socialism is subversive in the opposite direction; for another thing, that the methods of the Roman Catholic political machine transcend in subversiveness all the revolutionary movements of our generation, Anarchism not excepted, in that, differently from these, the methods of the Roman Catholic political machine attempt an “imperium in imperio”—an onslaught upon elemental principles of Social Life.

The case of Father Travassos is not disposed of by the firm conduct of Judge Milliken, nor by the restoration of the Amancio home. There is vastly more in the case of Father Travassos than in a common tort.

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